

Form 2000A – Deceptive or Unlawful Advertising or Marketing Complaint

Consumer's Information:

Nocket 06-171

First Name: Miles Last Name: Hopkins

Company Name:

(Complete only if you are filing this complaint on behalf of a company or an organization.)

Street Address or Post Office Box Number: 75 Arch St. #211

City: Redwood City State: CA Zip Code: 94062

Telephone Number (Residential or Business): Phone: (650) 368 - 5124

E-mail Address: miles55@yahoo.com

*** ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT ***

1. If you are complaining about deceptive or misleading advertising or marketing by a telephone company, wireless carrier, or Internet access service provider, provide the following information:
 - a. Name of company:
 - b. Type of company:
 - c. Date of problem (mm/dd/yyyy):
 - d. Description of advertising or marketing and details of your complaint:
2. If your complaint is about advertising on a radio or television station, provide the following information:
 - a. Station call sign (e.g., "KDID," "WZUF," "KDIU-FM," "WZUE-TV"): NBC11
 - b. Radio station frequency (e.g., "1020" or "88.5"):
or TV channel (e.g., "13"): 11
 - c. Station location: City: San Jose State: CA
 - d. Advertising information: Date (mm/dd/yyyy): 08/29/2008 23:15:00:PM
Program: 11 PM News
 - e. Description of advertising and details of your complaint: "Fake News" (Video News Release or "VNR") presented as a news segment by NBC anchors, but actually was an extended disguised infomercial for "FNR" energy drink explicitly claiming ANTICARCINOGENIC effectiveness! Blatant, outrageous, "fake news" focusing on images of cans of FNR drink and explaining how it prevents and helps cure cancer! No other product is mentioned and there is no theme other than gushing over the magical properties of FNR energy drink! This is unethical and against FCC regulations--there was no identification on screen as a paid advertisement and the claims made were outrageous and directly aimed at creating product demand! This entire segment was almost certainly fabricated by the FNR company and sent to NBC specifically to masquerade as news. Please investigate this "fake news" and fine NBC for their insolent violation of industry standards and Federal regulations. Please protect viewers against the deception of advertising disguised as "news". Thank you.
3. If you are complaining about advertising by a cable or satellite operator (e.g., Comcast, Time Warner, DirecTV), provide the following information:
 - a. Operator name:
 - b. Operator location: City: State:
 - c. Cable network (e.g., ESPN, Nickelodeon):
 - d. Advertising information: Date (mm/dd/yyyy):
Program:
 - e. Description of advertising and details of your complaint:

No. of Copies rec'd
List ABCDE

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You may submit this form over the Internet at <http://www.fcc.gov/cgb/complaints.html>, by e-mail to fccinfo@fcc.gov, by fax to 1-866-418-0232, or by postal mail to:

Federal Communications Commission
Consumer & Governmental Affairs Bureau
Consumer Complaints
445 12th Street, SW
Washington, D.C. 20554

In addition, you may submit your complaint over the telephone by calling 1-888-CALL-FCC or 1-888-TELL-FCC (TTY). If you choose to submit your complaint over the telephone, an FCC customer service representative will fill out an electronic version of the form for you during your conversation. If you have any questions, feel free to contact the FCC at 1-888-CALL-FCC or 1-888-TELL-FCC (TTY).

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT AND THE PRIVACY ACT

The Federal Communications Commission is authorized under the Communications Act of 1934, as amended, to collect the personal information that we request in this form. This form is used for complaints that involve deceptive or unlawful advertising or marketing. The public reporting for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, OMD-PER, Paperwork Reduction Project (3060-0874), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND YOUR COMPLETED FORMS TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0874.

In addition, the information that consumers provide when filling out FCC Form 2000 is covered by the system of records notice, FCC/CGB-1, Informal Complaints and Inquiries File (Broadcast, Common Carrier, and Wireless Telecommunications Bureau Radio Services). The Commission is authorized to request this information from consumers under 47 U.S.C. 206, 208, 301, 303, 309(e), 312, 362, 364, 386, 507, and 51; and 47 CFR 1.711 et seq.

Under this system of records notice, FCC/CGB-1, the FCC may disclose information that consumers provide as follows: when a record in this system involves a complaint against a common carrier, the complaint is forwarded to the defendant carrier who must, within a prescribed time frame,

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either satisfy the complaint or explain to the Commission and the complainant its failure to do so; where there is an indication of a violation or potential violation of a statute, regulation, rule, or order, records from this system may be referred to the appropriate Federal, state, or local agency responsible for investigating or prosecuting a violation or for enforcing or implementing the statute, rule, regulation, or order; a record from this system may be disclosed to a Federal agency in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit; a record on an individual in this system of records may be disclosed, where pertinent, in any legal proceeding to which the Commission is a party before a court or administrative body; a record from this system of records may be disclosed to the Department of Justice or in a proceeding before a court or adjudicative body when: (a) the United States, the Commission, a component of the Commission, or, when represented by the government, an employee of the Commission is a party to litigation or anticipated litigation or has an interest in such litigation, and (b) the Commission determines that the disclosure is relevant or necessary to the litigation; a record on an individual in this system of records may be disclosed to a Congressional office in response to an inquiry the individual has made to the Congressional office; a record from this system of records may be disclosed to GSA and NARA for the purpose of records management inspections conducted under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall not be used to make a determination about individuals.

In each of these cases, the FCC will determine whether disclosure of the information in this system of records notice is compatible with the purpose for which the records were collected. Furthermore, information in this system of records notice is available for public inspection after redaction of information that could identify the complainant or correspondent, i.e., name, address and/or telephone number.

THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507 AND THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. SECTION 552a(e)(3).